

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:16-CV-701-DCK**

MARSHALL O. LOWERY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

ORDER

THIS MATTER IS BEFORE THE COURT on Defendant's "Motion For A Stay Of Case In Light Of Lapse Of Appropriations" (Document No. 63) filed December 2, 2018. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion without prejudice.

If the partial Government shutdown continues through January 11, 2019, the Court will reconsider a stay of this case.

IT IS, THEREFORE, ORDERED that Defendant's "Motion For A Stay Of Case In Light Of Lapse Of Appropriations" (Document No. 63) is **DENIED WITHOUT PREJUDICE**.

Signed: January 3, 2019



David C. Keesler
United States Magistrate Judge

